

## SALT LAKE HERALD

SALT LAKE CITY, UTAH.

BY THE HERALD PUBLISHING CO.

THE  
HIGH CLASS  
OF  
THE HERALD'S  
READERSIS  
A FEATURE  
APPRECIATED  
BY THEDISCRIMINATING  
AND  
PROSPEROUS  
ADVERTISER.Forecast for today: Fair weather,  
slightly warmer.

## BRIEF AND BREEZY.

Commissioners to the three commissioners to locate university lands were mailed by Secretary Richards yesterday.

The census yesterday shows an increase of 18,368, as compared with those of the year-day last year, the total being 108,229.

The funeral of Frances W. Argart will take place from Joseph E. Taylor's undertaking parlors this morning at 11 o'clock.

At 11 o'clock yesterday, the thermometer registered 18 at noon, 22 at 2 p. m., the maximum temperature being 29 and the minimum 12.

Albert Black, who resides on Third South near the Boston house, mourns the loss of a coat and hat, the result of work at burglars on Thursday night.

The remains of Edward Tiddy, who died at Park City a day or two since of pneumonia, were shipped to Skeewa, Kan. yesterday and interred at Mount Union.

Adjutant-General Ovinger is engaged in making a report to the secretary of the War Department on the National Guard.

Ten cents (two per copy) will be paid for copies of the Semi-weekly Herald of December 14th, 1892, sent to this office, and copies of September 29th, 1894, sent to this office.

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## FOR THE RAPID TRANSPORTATION

J. M. Whitmore Awarded \$22,000  
by the Court of Claims.

IT WAS AWAY BACK IN 1866

DISPUTE OVER THE RAPID TRANSPORTATION COMPANY'S ELECTRIC POLES.

Mrs. Blackmore Alleges She Was Deprived of Her Home and  
The Transaction Declared  
Null and Void—Bountiful City  
Water Rights—New Trial Refused  
in the Suit of Anderson vs. Salt  
Lake Railway—Mrs. Ross Waite  
Wants a Divorce.

Advices were yesterday received from Washington, D. C., by Attorney Gustavus Kroger, stating that the United States court of claims had awarded \$22,000 damages for depredations committed by the Navajo Indians in 1866, upon property belonging to the late J. M. Whitmore, at Pipe Springs, Kane county, near the Utah-Arizona line. Mr. Whitmore was the owner of vast herds of sheep, cattle and horses, and his wife, one of his herders, was attacked and savagely murdered by a band of Indians. The marauders stripped the bodies of their clothing, which a few of them put on, and drove the stock away. A party of settlers, after finding and burying the dead body of the woman, took the trail, came on the rear guard of the Indians, and avenged the murder of Whitmore and his man. Some of the Navajo were found wearing the clothing of the dead men.

Only a small portion of the stock was recovered, and later suit was brought against the United States government by J. M. Whitmore, the son of the murdered man, who was an administrator of his father's estate, to recover \$22,000 damages. The result of which was the awarding of damages as above stated. There are at least 200 similar claims from Utah Indians awaiting adjustment.

Attorney Kroger and Attorney Ferron have been acting for Mr. Whitmore, and are to be congratulated on their success.

ABOUT ELECTRIC POLES.

Hot Springs Railroad Company vs. Rapid Transit Company.

Hearing on the suit of the Great Salt Lake & Hot Springs Railway company vs. J. S. Cameron and the Salt Lake Rapid Transit company came on before Chief Justice Merritt. Attorney E. B. Crichtlow appeared for the plaintiff and Attorney P. L. Williams for the defendant.

The contention herein is in reference to the removal of certain electric poles by the defendants on Third West street just north of the Union Pacific depot, which were erected by the plaintiff in pursuance of a permit from the city engineer. That the defendant corporation obtained such permit prior to the erection of its poles on Third West street, and erected them in the center of that thoroughfare, in accordance with their franchise. It is further alleged that the Electric Light company of this city had, in pursuance of authority, and prior to said time, erected a line of poles for its use in the center of Third West street, and that the same were maintained by that company at all times and that the poles of the defendants and of the Electric Light company stood on the same line. That after the filing of the original answer and cross-complaint and after the restraining order issued in this case had been served, the plaintiffs secretly and unlawfully, without the knowledge of the defendants, removed the poles a distance of two feet or more to the west of the center of the thoroughfare, for a distance of five blocks, viz: from North Temple street on Third West street to Fifth North street, to the result of such removal the poles were so close to the track that it was impracticable to operate it. Hence defendants now pray that plaintiffs be required to order the court, at their own cost, to remove the poles from their present position to the center of the street, where they originally stood.

After the case had proceeded a short time, a continuance was granted at the plaintiff's request.

To make food light, wholesome and delicious always use Dr. Price's Baking Powder.

ALLEGED FRAUD.

Old Couple Alleges They Were Swindled Out of Their Home.

Mary Spencer Blackmore has begun suit in the Third district court against E. L. Sheets, P. W. McCaffery, Mathoni W. Pratt, the Utah Title Insurance and Trust company, the State Bank of Utah and Nat. B. Brigham.

The plaintiffs allege that she is 63 years of age and her husband 71; that they are both infirm and that she is very deaf. In June 1892, she was the owner of a certain piece of property in City Creek canyon, on which she resided as her home. On June 30, 1892, the defendant, Pratt, was the owner of a certain piece of property in Salt Lake city, block 4, lot 3, block 4, plat D, Salt Lake city survey. The plaintiffs allege that Pratt, who resides in Haden, Ida., invested the defendant, Sheets, with power of attorney in all matters connected with said property, and that Pratt and McCaffery conspired to cheat and defraud the plaintiff.

That in pursuance of said conspiracy, Sheets, as attorney for Pratt, together with McCaffery, by fraudulent representations, induced plaintiff to purchase the Pratt property for \$7,000 when same was not worth over \$4,000; that they represented her that they had a purchase for the property for \$9,000 and that plaintiff would make \$1,000 by the transaction, all of which was false. It is also alleged that under the impression that she was signing a receipt for \$700 for part of the money for the Pratt property, she signed a promissory note in favor of the Utah Title Insurance and Trust company for \$5,000 secured by a first deed on her homestead and that under a false impression she signed a promissory note for \$3,000 payable to E. L. Sheets, trustee for Mathoni W. Pratt, secured by a trust deed on the Pratt property.

Plaintiff also alleges on information and belief that Sheets and McCaffery acted as agents of the Utah Title Insurance and Trust company, and that the same company knew of the fraud that was perpetrated upon plaintiff.

It is also alleged that Pratt made a pretended sale of the \$5,000 note to the State Bank of Utah, with notice of plaintiff's rights in the premises and of the undue influence and fraud practiced on the plaintiff, and that on December 26, 1892, at the instance of the State Bank the property was advertised for sale to satisfy the note.

The plaintiff prays that the marshal

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## IMPORTANT CAPTURE.

FOUR MEN WITH BURGLAR'S TOOLS  
AND STOLEN GOODS.

Supposed to Be the Gang That Burglared Dubel's Tailor Shop and  
Two of Them Are Charged With  
Holding Up a Street Car at Agricultural Park lately.

The police made a very important capture last night of four men who are, they think without doubt, the gang that burglarized the tailor shop of John Dubel, on Second South street, near the residence, carrying away clothing between \$100 and \$200 worth of clothing. The quarters were also supposed to have been used in holding up the street car at the Agricultural park about ten days ago. The men were charged with holding up the street car at Agricultural Park lately.

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